

MESSAGE NO: 8109206

MESSAGE DATE: 04/18/2008

MESSAGE STATUS: Active

CATEGORY: Countervailing

TYPE: ADM

PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-570-917

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 04/01/2008 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: DISCONTINUATION OF SUSPENSION OF LIQUIDATION IN THE COUNTERVAILING
DUTY INVESTIGATION OF LAMINATED WOVEN SACKS FROM CHINA (C-570-917)

MESSAGE NO: 8109206

DATE: 04 18 2008

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REFERENCE:

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CASES: C - 570 - 917

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PERIOD COVERED: 04 01 2008 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: DISCONTINUATION OF SUSPENSION OF LIQUIDATION IN THE
COUNTERVAILING DUTY INVESTIGATION OF LAMINATED WOVEN
SACKS FROM CHINA (C-570-917)

1. IN KEEPING WITH THE WORLD TRADE ORGANIZATION AGREEMENT ON
SUBSIDIES AND COUNTERVAILING MEASURES, THE DEPARTMENT IS
DISCONTINUING THE SUSPENSION OF LIQUIDATION ON THE
COUNTERVAILING DUTY INVESTIGATION OF LAMINATED WOVEN SACKS FROM
THE PEOPLE'S REPUBLIC OF CHINA EFFECTIVE 04/01/2008, WHICH IS
120 DAYS AFTER THE DATE OF PUBLICATION OF THE PRELIMINARY
DETERMINATION (72 FR 67893, 12/03/2007).

2. THE MERCHANDISE COVERED BY THIS INVESTIGATION IS LAMINATED

WOVEN SACKS. LAMINATED WOVEN SACKS ARE BAGS OR SACKS CONSISTING OF ONE OR MORE PLIES OF FABRIC CONSISTING OF WOVEN POLYPROPYLENE STRIP AND/OR WOVEN POLYETHYLENE STRIP, REGARDLESS OF THE WIDTH OF THE STRIP; WITH OR WITHOUT AN EXTRUSION COATING OF POLYPROPYLENE AND/OR POLYETHYLENE ON ONE OR BOTH SIDES OF THE FABRIC; LAMINATED BY ANY METHOD EITHER TO AN EXTERIOR PLY OF PLASTIC FILM SUCH AS BIAXIALLY-ORIENTED POLYPROPYLENE (BOPP) OR TO AN EXTERIOR PLY OF PAPER THAT IS SUITABLE FOR HIGH QUALITY PRINT GRAPHICS; ("PAPER SUITABLE FOR HIGH QUALITY PRINT GRAPHICS," AS USED HEREIN, MEANS PAPER HAVING AN ISO BRIGHTNESS OF 82 OR HIGHER AND A SHEFFIELD SMOOTHNESS OF 250 OR LESS. COATED FREE SHEET IS AN EXAMPLE OF A PAPER SUITABLE FOR HIGH QUALITY PRINT GRAPHICS); PRINTED WITH THREE COLORS OR MORE IN REGISTER; WITH OR WITHOUT LINING; WHETHER OR NOT CLOSED ON ONE END; WHETHER OR NOT IN ROLL FORM (INCLUDING SHEETS, LAY-FLAT TUBING, AND SLEEVES); WITH OR WITHOUT HANDLES; WITH OR WITHOUT SPECIAL CLOSING FEATURES; NOT EXCEEDING ONE KILOGRAM IN WEIGHT. LAMINATED WOVEN SACKS ARE TYPICALLY USED FOR RETAIL PACKAGING OF CONSUMER GOODS SUCH AS PET FOODS AND BIRD SEED.

EFFECTIVE JULY 1, 2007, LAMINATED WOVEN SACKS ARE CLASSIFIABLE UNDER HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS) SUBHEADINGS 6305.33.0050 AND 6305.33.0080. LAMINATED WOVEN SACKS WERE PREVIOUSLY CLASSIFIABLE UNDER HTSUS SUBHEADING 6305.33.0020. IF ENTERED WITH PLASTIC COATING ON BOTH SIDES OF THE FABRIC CONSISTING OF WOVEN POLYPROPYLENE STRIP AND/OR WOVEN POLYETHYLENE STRIP, LAMINATED WOVEN SACKS MAY BE CLASSIFIABLE UNDER HTSUS SUBHEADINGS 3923.21.0080, 3923.21.0095, AND 3923.29.0000. IF ENTERED NOT CLOSED ON ONE END OR IN ROLL FORM (INCLUDING SHEETS, LAY-FLAT TUBING, AND SLEEVES), LAMINATED WOVEN SACKS MAY BE CLASSIFIABLE UNDER OTHER HTSUS SUBHEADINGS INCLUDING 3917.39.0050, 3921.90.1100, 3921.90.1500, AND 5903.90.2500. IF THE POLYPROPYLENE STRIPS AND/OR POLYETHYLENE STRIPS MAKING UP THE FABRIC MEASURES MORE THAN 5 MILLIMETERS IN WIDTH, LAMINATED WOVEN SACKS MAY BE CLASSIFIABLE UNDER OTHER HTSUS SUBHEADINGS INCLUDING 4601.99.0500, 4601.99.9000, AND 4602.90.0000. ALTHOUGH HTSUS SUBHEADINGS ARE PROVIDED FOR

CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS INVESTIGATION IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER C570-917.

4. FIELD OFFICERS SHALL DISCONTINUE THE SUSPENSION OF LIQUIDATION FOR COUNTERVAILING DUTY PURPOSES ON ALL SHIPMENTS OF THE SUBJECT MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 04/01/2008. THE SUSPENSION OF LIQUIDATION WILL NOT BE RESUMED UNLESS AND UNTIL THE DEPARTMENT OF COMMERCE PUBLISHES COUNTERVAILING DUTY ORDERS

IN THIS CASE. FIELD OFFICERS SHALL CONTINUE TO SUSPEND LIQUIDATION ON ALL SHIPMENTS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION MADE DURING THE PERIOD 12/03/2007 THROUGH 03/31/2008 UNTIL THE CONCLUSION OF THIS COUNTERVAILING DUTY INVESTIGATION.

5. THE DISCONTINUATION DOES NOT AFFECT THE REQUIREMENTS OF A CASH DEPOSIT OR BOND ON ENTRIES SUBJECT TO THE SUSPENSION OF LIQUIDATION ANNOUNCED IN THE DEPARTMENT OF COMMERCE'S PRELIMINARY DETERMINATION IN THE COMPANION ANTIDUMPING DUTY INVESTIGATION OF LAMINATED WOVEN SACKS FROM THE PEOPLE'S REPUBLIC OF CHINA.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O6: TP).

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

DAVID M. GENOVESE

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party